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COMMISSION ON HUMAN RIGHTS
Intergovernmental working group of experts
on human rights of migrants
Third session
Geneva, 23 - 27 November 1998

INFORMATION AND COMMENTS RECEIVED FROM GOVERNMENTS, UNITED NATIONS BODIES, SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

Report of the Secretary-General

ANNEX

Submission from Norway
dated 13 February 1998

GE.98 - 13077

The Permanent Mission of Norway has the honour to acknowledge receipt of the note of 2 December 1997, from the Secretary-General requesting the Norwegian Government to submit information in relation to a questionnaire on human rights of migrants.

The Mission is pleased to submit the relevant information concerning the issue in an attachment to this note, and regrets any problems the delay may have caused the Secretary-General.

The Permanent Mission of Norway avails itself of this opportunity to renew to the Secretary-General the assurance of its highest consideration.

Geneva, 13 February 1998

Questionnaire sent with the United Nations Secretary's General note G/SO 212/26 (1) on the human rights of migrants.

The Norwegian Directorate of Immigration, (UDI) notes that the UN working group has chosen for the purpose of this survey to use a broad definition for the term ' migrant", such that all immigrants, even those who live in the country on a permanent basis are included in this survey. At the same time UDI would like to make mention of the fact that only a very limited number of seasonal workers are granted temporary work permits in Norway. These number only 5 -7,000 a year, according to the Directorate's figures from the past few years. Most of these workers come from Eastern European countries during the harvesting season.

1. Latest figures or estimates for:
total population, including non-nationals, preferably by nationality of origin:

The following statistics have been obtained from the Norwegian National Bureau of Statistics, which are enclosed (SSB). SSB has defined immigrant here as a person whose parents were born abroad. The countries listed below represent the nationalities with the largest number of immigrants in Norway. Available statistics do not distinguish between those immigrants who sought refugee status when they arrived and those who didn't. The UN questionnaire specifically requests that we do not include an overview of immigrants who are refugees. For this reason, we have omitted nationalities that predominantly have sought refugee status, such as; Bosnia-Herzegovina, Vietnam, Iran, Somalia, Iraq, Poland, Chile, etc. The figures are from 1. January 1997.
Total population in Norway:
4,392,714
Norway as country of birth:
4,145,776

Foreign born immigrants (not refugees), according to country of birth:
Sweden
26,000
Denmark
20,928
USA
15,047
Great Britain
13,535
Pakistan
8,611
Germany
9,737
Yugoslavia(not Bos-Her.)
7,299
Turkey
6,334
Philippines
4,963

Finland
4,874
India
4,700
Netherlands
3,770
Morocco
3,186
Iceland
3,167
Thailand
2,697
France
2,521
Canada
2,237
Spain
1,457
Switzerland
1,313
Italy
1,256
Brazil
1,046
Austria
974
Japan
933
Australia
912
Hong Kong
850
Faeroe Islands
848
Belgium
800
Portugal
675
Israel
524
Greece
521
Ireland
510

Number of nationals abroad,
There has not been significant numbers of emigrants from Norway since the 1800s.

Non-nationals having authorisation to work in the country
This data is not registered in relation to Nordic nationals. For an overview of other nationalities, we refer you to page 30 in the Norwegian Directorate of immigration's Annual Report from 1996.

Estimate of irregular migrants,
This is not considered a serious problem in Norway today and there are no available estimates as to how many individuals this might involve in Norway's case.

Visa-abusers
There are no available statistics on this point. It is not considered a serious problem.

2. What measures are being taken to strengthen the promotion, protection and implementation of the human rights of migrants, such as: Legal measures, public information and education, provision of direct assistance and services: other measures, including bilateral and multilateral arrangements.

There are very few seasonal workers in Norway. Approximately 5-7,000 temporary, non-renewable 3 month permits are granted yearly, usually during the harvesting season, and usually to Eastern Europeans. The national rules and regulations regarding working conditions and living accommodations, hygiene, etc. which are meant to protect the rights of the employee, also apply to this group and their employers. We have no access to specific information about this group, nor have we any knowledge of registered complaints regarding abuse of this immigrant group.

Immigration policy in Norway is based on principals of genuine equal status for immigrants and Norwegians alike. This means that, as far as possible, immigrants are to have the same opportunities, rights and obligations as any other member of the population. When granted a renewable work/ residence permit, an immigrant is automatically included in the Norwegian National Health Insurance program for the duration of the permit, for example. They are also entitled to education as well as employment. In addition, some supplementary provisions and measures are available to immigrants to assist them in transitional stages of integration (such as adult language training and cultural orientation, supplementary primary education tutoring, bilingual education as required, interpreter services, multi-lingual information brochures, etc.). In addition, the government actively seeks to provide all members of the population with equal access to government services. However, once an immigrant has mastered Norwegian and is established in the work force, there are few, if any, compensatory measures or special programs aimed at immigrants.

A government White Paper on recent immigration to Norway, was sent by the Ministry of Local Government and Labour , to the Norwegian Parliament in March 1997. This paper focuses on the challenges Norway is encountering as a multi-cultural society. Equal opportunities and combating racism and discrimination are among the main points in this White Paper. The paper also suggests that the Norwegian Directorate of Immigration should focus integration efforts on all immigrants especially during the first five years after arrival to Norway. The Norwegian government has made concerted efforts to get the various sectors of

the government to include the immigrant population into their overall planning and design of programs for the general public.

The Government has proposed a change in the law to the Parliament, which, if passed, will forbid racial discrimination of job applicants. The changes referred to will apply to section 55 a of the Act pertaining to Worker Protection and Working Environment. The proposed change in the law will be voted on in the middle of February 1998. If passed, this law will include an addition to the present section 55a which forbids differential treatment or discrimination of job applicants because of race, colour, nationality or ethnic origin. The burden of proof will lie with the offended party and the offended party will not be granted compensation should they win their case.

3. Have there been manifestations (how many cases?) of racism, xenophobia and other forms of discrimination against migrants in your country and against your nationals in another country?

A. UDI has no information regarding harassment of Norwegian nationals living abroad. Neither do we have knowledge of any complaints on this matter.
B. Norway is in the process of developing better and more thorough methods of reporting cases of racism, xenophobia and other forms of discrimination. However, no registry of such episodes or cases exists at present.

Though there is no central office that registers individual cases of more typical harassment or discrimination, it is commonly recognised among professionals in the field, that immigrants from non-western countries have greater difficulties in gaining admittance to arenas such as employment, education and housing and suffer exclusion due to insufficient "official language" ability. Approximately one out of five immigrants has experienced discrimination on the housing market and one out of seven has experienced harassment at the workplace because of their immigrant background. There are also indications that about 20-30% of immigrant households are below the low income limit in Norway.

Though much remains to be done, Norway makes concentrated efforts to inhibit racism, harassment, and discrimination through a number of measures:
-legislation, criminal and civil law provisions,
-adoption of international conventions,
-stipulation of equal rights in the constitution,
-monitoring of extreme right-wing activities,
-establishment of a Interdisciplinary Advisory group on community relations and anti-racist work that provides advice and guidance to municipalities where racism, harassment, etc. appears to be race-related and has led to serious conflicts
-support to developing programs that assist youth in breaking out of violent, extremist groups
-support of and co-operation with anti-racist organisations,
-financial support to the development and implementation of attitude-shaping and awareness raising programs aimed at the general public,
-financial support for the development of programs which will promote relevant training for "front-line" professionals working at the local level, and

-marketing of professional expertise for assisting municipalities in planning and implementation of strategies against racism, discrimination and "excluding behaviour / intentions",
-promoting systematic exchange of information, knowledge and experience.

In addition, the government wants to improve the legal aid available to victims of racial discrimination. Victims of such discrimination frequently face social and economical barriers which keep them from bringing a case before the courts. For a test period of 5 years, an arrangement will be made to provide professional legal advice for individuals who are victims of racial discrimination. This measure will also support municipal employees working on legal issues in connection with discrimination. Through this measure, the Government will survey the situation closely in order to investigate the extent of racially motivated crimes and how often cases are brought before the courts. Annual reports will contribute to the documentation of these problems.

A Governmental Plan of Action to Combat Racism and Discrimination will be completed during the spring of 1998. The Ministry of Local Government and Regional Development will, in co-operation with several other Ministries, take responsibility for implementing and following up on recommended actions in the plan. The plan will put continued focus on discrimination in the labour market and the need to increase the competence of public employees when providing services to a multi-cultural population. The plan will also deal with how to react more clearly and quickly to racially motivated violence and harassment and the improvement of documentation and statistical data on race related crime.

The Government actively promotes recruitment of qualified persons with an immigrant background at all levels of the public sector. Quotas will not be established. Information on accreditation, evaluation of foreign education and possibilities of supplementary education will be further improved upon. Special action will be taken in order to recruit persons of immigrant background to professions that involve frequent contact with the public.

4. What steps have been taken in order to ratify the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Labour Organization (ILO) Convention concerning Migration for Employment (Revised), 1949 (No 97), and the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No 143)?

In 1979 Norway ratified Part II of the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers. Part I was ratified in 1989. The ILO Convention concerning Migration for Employment was raified in 1955.

Up to this date Norway has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.